



## WVHEPC J-1 Exchange Visitor Program

### **Two-Year Home Country Physical Presence Requirement**

The Two-Year Home Country Physical Presence requirement is one of the most important special characteristics of exchange visitor status and should be thoroughly understood by you as a participant. As an exchange visitor you may not be eligible to obtain permanent resident, H-1B specialty occupation or trainee, or L intra-company transferee status in the United States until you have resided and been physically present in your country of nationality or last legal permanent residence for a total of at least two years following departure from the United States. If you are subject to the two year home residency requirement, you are also **not** permitted to change to any other non-immigrant status in the United States.

#### **These restrictions apply when:**

- Your participation in the program for which you came to the United States was financed in whole or in part, directly or indirectly, by an agency of the U.S. government or by the government of your home country;
- At the time of admission or acquisition of exchange visitor status, you were a national or resident of a country which the U.S. Department of State designated as clearly requiring the services of persons engaged in the field of specialized knowledge or skill in which you are engaged;
- You came to the United States or acquired exchange visitor status in order to receive graduate medical education or training.

#### ***Government Financing***

“Financed directly” means financed in whole or in part by the United States government or your home government with funds contributed directly to you in connection with an exchange visitor program. “Financed indirectly” means 1) financed by an international organization with funds contributed by either the United States or your home government for use in financing international educational and cultural exchange, or 2) financed by an organization or institution with funds made available by either the United States or your home government for the purpose of furthering international educational and cultural exchange.

#### ***Exchange Visitor Skills List***

The determination as to whether you are subject to the two-year home country physical presence requirement, depending on the need for your specialized knowledge or skills in the home country, is made by reference to the Exchange Visitor Skills List. This is an official list of fields of specialized knowledge and skills needed in each country as determined by each country’s corresponding government. You are subject to the two-year home country physical presence requirement only if participation in an exchange program began after your field of study appeared on the skills list. You can view the skills list at [http://exchanges.state.gov/education/jexchanges/participation/skills\\_list.pdf](http://exchanges.state.gov/education/jexchanges/participation/skills_list.pdf).